IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

(SPECIAL ORIGINAL JURISDICTION)

TUESDAY, THE EIGHTEENTH DAY OF NOVEMBER, TWO THOUSAND AND THREE

: PRESENT :

THE HON'BLE MR. JUSTICE: A. GOPAL REDDY

W.P. No. 24183 of 2003

Between:

1. M/s. Koya & Company Construction Private Limited, having its Regd. Office at Mehdipatnam, Hyderabad, rep. by its vice President R. Jai Kishan
2. M/s. Indian Hume Pipes Private Limited, Azamabad Industrial Area, Hyderabad, rep. by its Manager, A.K. Das
3. M/s. Bhooratnam & Company, having its Regd. Office at 8, R.P. Road, Secunderabad, rep. by its Partner, A.L. Rajashanker

Petitioners

AND

1. The Engineer in Chief, Public Health and Municipal Engineering Department at A.C. Guards, Hyderabad
2. The Superintending Engineer, Public Health, West Circle, A.C. Guards, Hyderabad
3. M/s. Vishwa Construction Company (Joint Venture of Vishwa Construction Company and Tapi Prestressed Products Limited), at 8-3-73, Second Bazar, Secunderabad, rep. by its Managing Director

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a writ of mandamus or any other appropriate Writ or Writs, Order or Direction, declaring the action of the respondents No.1 & 2 in not disqualifying the third respondent for award of the work notified in Chit Tender Notice No.205/DB-D5/B'gir-WSIS/Package-I/2003 dt.20-5-2003 and Amendment to CTN Dt.31-5-03, 23-6-03 and 3-7-03, and in seeking to consider the case of third respondent for award of work under above said tender as illegal, arbitrary and without jurisdiction; award costs.

The petition coming on for hearing, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. N. Sreedhar Reddy, Advocate for the Petitioners and of the G.P. for Municipal Administration on behalf of Respondent Nos.1 & 2 , the Court made the following ORDER:

" Any award of work in favour of the third respondent will be subject to further orders in the writ petition. The learned Government Pleader for Municipal Administration shall make available the records to show whether the third respondent is qualified or not as per Tender Notice.

Post on Monday in Motion List."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Engineer in Chief, Public Health and Municipal Engineering Department at

A.C. Guards, Hyderabad

2. The Superintending Engineer, Public Health, West Circle, A.C. Guards, Hyderabad
3. The Managing Director, M/s. Vishwa Construction Company (Joint Venture of Vishwa Construction Company and Tapi Prestressed Products Limited), at 8-3-73, Second Bazar, Secunderabad.

   (ADDRESSEES 1 TO 3 BY RPAD)
4. Two CCs to the G.P. for Municipal Administration, High Court of A.P., Hyderabad (OUT)
5. One Spare Copy.
6. One CC to Mr. N. Sridhar Reddy, Advocate (OPUC)

MSR

HIGH COURT

DATE: 18-11-2003

ORDER

W.P.No. 24183 of 2003

DIRECTION

HIGH COURT

DRAFTED BY: MSR
DRAFTED ON: 19-11-2003

AGRJ

DATE: 18-11-2003

NOTE: POST ON MONDAY IN MOTION LIST

ORDER

W.P.No. 24183 of 2003

DIRECTION